(Ireland.)

A

BILL

TO

Assimilate the Law as to the Sea Coast Fisheries of Ireland to that of England.

WHEREAS the Improvement of the Irish Sea Coast Fisheries is an Object of the most essential Importance to the Wealth and Commercial Prosperity as well as to the Naval Strength of the United Kingdom of Great Britain and Ireland, for the Attainment of which it is expedient to relieve the Persons engaged in the said Fisheries from all novel and undue Restrictions and Burdens, and to replace them on an Equality in that Behalf with Persons engaged in the Fisheries of England: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Preamble. See 48 G. 3. c. 110. and 59 G. 3. c. 109.

I. So much of an Act passed in the Sixth Year of the Reign of Her Majesty, Chapter One hundred and six, intituled "An Act "to regulate the Irish Fisheries," as enacts—

Repeal of ss. 7, 8, 9, 10. and Part of s. 91. of 5 & 6 Vict. c. 106.

"VII. That no Person shall, at any Time between Sunrise and "Sunset, set, either in the Sea or within the Tideway in any Estuary, "any Sea Net for the catching of Herrings, or any Trammel Net, "or leave any Drag or other Net in the Water between Sunrise and "Sunset, except Stake or Fixed Nets for the catching of Salmon, as is "herein-after provided, and save also Seines or Drift Nets for Pil- "chards

No Herring or other Nets, save as herein provided, to be shot or left floating in the Day-time.

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" chards or Fish other than Herrings, provided such Stake or Fixed " Nets and such Seines or Drift Nets be used at such Times and " Places as may not be prohibited by the Byelaws herein-after men- " tioned; and every Person offending by setting or leaving set any " such Net, save as aforesaid, shall forfeit the same, and shall also for " every such Offence forfeit and pay any Sum not exceeding Ten " Pounds.

Penalty on Fishermen not hauling up their Nets.

" VIII. And that every Person who shall, between Sunset and " Sunrise, have set, either in the Sea or within the Tideway in any " Estuary, any such Net as is hereby prohibited from being left set " or in the Water between Sunrise and Sunset, shall before Sunrise " haul up and remove such Net or Nets; and every Person offending " by not so hauling up and removing such Net before Sunrise shall " forfeit the Net so set or in the Water, and shall also forfeit and pay " any Sum not exceeding Five Pounds, unless it shall be proved to " the Justice before whom Complaint shall be made against such " Person that he was prevented by sudden Storm or Stress of Weather " from hauling up and removing such Net.

Penalty on use of Trawl and Trammel Nets.

" IX. And that every Person who shall use any Trawl or Trammel " Net at any Season or any Place, either in the Sea or within the " Tideway in any Estuary, when or where the Use of the same " shall have been prohibited by any Byelaw to be made as herein-after " mentioned, shall forfeit every such Net so used, and shall for every " such Offence also forfeit and pay any Sum not exceeding Twenty " Pounds.

Net shall not be set or Lines laid contrary to the Byelaws.

" X. And that if any Person shall set any Net at or across the " Entrance of any Bay or Estuary in any Place or at any Time which " shall be prohibited by any such Byelaw, every Person so offending " shall forfeit and pay for each such Offence any Sum not exceeding " Five Pounds."

And so much of the said Act as relates to the Power of the Commissioners of Fisheries therein mentioned to make Byelaws relating to the Fisheries on or off the Sea Coasts of Ireland;

Repeal of Part of s. 7. of 7 & 8 Vict. c. 108.;

And so much of an Act passed in the Eighth Year of Her Majesty, Chapter One hundred and eight, intituled " An Act to amend an " Act of the Sixth Year of Her present Majesty, intituled 'An " 'Act to regulate the Irish Fisheries,' and to empower the " Constabulary Force to enforce certain Provisions respecting " the Irish Fisheries," as authorizes the Commissioners of Fisheries therein mentioned to make any Byelaw, Rule, or Regulation forbidding the Use of Seine Nets for the catching of Herrings;

of Part of ss. 14. and 15. of 8 & 9 Vict. c. 108.;

And so much of an Act passed in the Ninth Year of Her Majesty, Chapter One hundred and eight, intituled "An Act for the " further Amendment of an Act of the Sixth Year of Her " present Majesty, for regulating the Irish Fisheries," as authorizes

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authorizes the Commissioners of Fisheries therein mentioned to make any Byelaw "to prohibit the Use at any Time or Season "of any Engine or Device for the Capture of Fish, which "upon Inquiry had the said Commissioners shall deem to be "injurious to the Fisheries," so far as the same relates to fishing on or off the Sea Coasts of Ireland, or "any Byelaw autho- "rizing the Use between Sunrise and Sunset of any Trammel or "other Net on any Part of the Coasts of Ireland or the Islands "lying off the same where such Trammel or other Nets may "in the Opinion of the said Commissioners be used during the "Daytime without Injury to the Fisheries;" s. 14. s. 15.

And so much of an Act passed in the Twelfth Year of Her Majesty, Chapter Ninety-two, intituled "An Act for the Pro- "tection and Improvement of the Salmon, Trout, and other "Inland Fisheries of Ireland," as enacts that from and after the First Day of January One thousand eight hundred and forty-nine all Engines, Nets, Instruments, or Devices whatsoever used for the taking of Salmon, Trout, Pollen, or Fish of the Salmon or Trout Kind, or for the taking of Eels, within any of the several Fishery Districts into which the Commissioners of Fisheries therein mentioned were thereby authorized to divide Ireland and the Sea Coast and Islands thereof, or on or off the Sea Coast of such District, should before the same be used in any Year be duly licensed and rated in manner therein mentioned, so far as the same relates to fishing on or off the said Sea Coast; and so much of Section Twenty-one of the said Act, which Section is in the Words following: "That for "any Engine, Instrument, Net, Weir, or Device whatso- "ever, not enumerated in the Schedule to this Act, and "which may be proposed to be used for fishing for Salmon, "Trout, Pollen, or Fish of the Salmon or Trout Kind, or "for Eels, it shall be lawful for the said Commissioners at "any Time before a Board of Conservators shall be formed, "and after the Formation of such Board it shall be lawful for "such Board of Conservators for the District, as the Case may "be, to fix and determine the Licence Duty on Payment of "which the same may be used in such District, regard being had "as far as practicable to the relative Capability of Capture and "Productiveness of the same, as compared with those set forth in "the said Schedule, and the relative Proportion of the Duties "therein set forth: Provided always, that the Party proposing "to use any such Engine, Instrument, Net, Weir, or Device not "enumerated in such Schedule shall previously give Notice to "some Constabulary or Coast Guard Officer of the District, or "to some Inspector appointed under this Act, of his Intention to "use the same, who shall and is hereby required to forward to "the

of Part of ss. 8. and 21. of 11 & 12 Vict. c. 92.; s. 8. see s. 3. s. 21.

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" the said Commissioners or the said Conservators, as the Case " may be, a Description thereof, as to its relative Capability of " Capture as compared with the Engines, Instrumeuts, Nets, " Weirs, or Devices set forth in the said Schedule, and shall " furnish the Name by which it shall be designated, upon which 5 " the Commissioners or the said Conservators, as the Case may " be, may authorize the Use of the same, upon Payment of the " Licence Duty, which they may fix, and cause the same to be " inserted in the Schedule of Licences for the said District: " Provided always, that Rods used singly for taking Trout, 10 " Perch, Pike, or other Fish, save and except Salmon, shall not " be subject to any Licence Duty under this Act: Provided " also, that if any Person using a Rod shall under Pretence or " otherwise of fishing for Trout, Perch, Pike, or other Fish, " take or kill Salmon with such Rod, such Person shall be subject 15 " to a Penalty of the like Amount as the Licence Duty for the " Time being payable for a Salmou Rod, and the same shall be " recoverable before a Justice or Justices in like Manner as other " Penalties under the said recited Acts or this Act: Provided " also, that all Cross Lines used with a Rod or Rods for taking 20 " Fish of any kind whatsoever shall be subject to the Licence " Duty payable under this Act for the Time being upon Cross " Lines and Rods, until the same shall be altered as herein pro- " vided," so far as the said Section relates to fishing on or off the Sea Coasts of Ireland; 25

and Part of s. 12. of 13 & 14 Vict. c. 88.

And also so much of an Act passed in the Fourteenth Year of Her Majesty, Chapter Eighty-eight, intituled " An Act to amend the " Law relating to Engines used in the Rivers and on the Sea " Coast of Ireland for the taking of Fish," as increases the Penalty for fishing without a Licence, so far as the same relates 30 to the Sea Coasts of Ireland,

Shall be and are hereby repealed, save and except as to any Offences, Penalties, or Matters committed, incurred, or done, or which may be committed, incurred, or done, against or under the said Provisions of the said Acts or any of them before the passing of this Act, 35 all which Offences shall be dealt with, considered, and punished, and all such Penalties levied, and all such Matters deemed good, valid, and effectual, to all Intents and Purposes as if this Act had not been passed.

See 5 & 6 Vict. c. 106, s. 101.

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Sea Coast Fisheries (Ireland).

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BILL

To assimilate the Law as to the Sea Coast Fisheries of Ireland to that of England.

(Prepared and brought in by Mr. McMahon and Mr. Moore.)

Ordered, by The House of Commons, *to be Printed,* 17 *February* 1857.

[Bill 18.]

Under 1 *oz.*

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